

Title 4 - Criminal

RULE 4001 WHERE TO FILE DOCUMENTS

I. General Directions

- A. All criminal indictments, complaints, notices to appear constituting complaints, and all other documents initiating a criminal proceeding are to be filed at the courthouse specified below in sections II and III of this Rule, according to the zip code in which the alleged crime occurred. Alternatively, such documents are to be filed according to the zip code in which the relevant event occurred or the nearest zip code thereto as provided in Penal Code sections 182, 184, 777a through 792, inclusive, 795, 4701, 4702, or any other applicable statute governing venue. All petitions for writ of habeas corpus shall be filed at the courthouse specified below in section IV of this Rule. Criminal and habeas corpus cases shall usually be heard in the courthouse in which they were filed or in another courthouse in the same geographical region. For good cause, and to maximize efficient use of court resources, actions or proceedings may also be assigned for hearings in other regions.
- B. All subsequent documents related to the case shall also be filed at the same specified courthouse, unless the case is transferred to another courthouse in which event all subsequent documents shall be filed at that other courthouse.
- C. Self-represented litigants may visit a self-help center at any court location in the county for assistance in filing documents at the proper courthouse.

II. Felonies and Misdemeanors

- A. Riverside-Hall of Justice and Banning Courthouse (Western Region)
 - 1. All documents concerning actions or proceedings that arise out of the zip codes of 91752, 92501-92509, 92513-92519, 92521-92522, 92532, 92551-92557, 92567, 92570-92572, ~~(Sun City addresses with zip codes of 92584-92586, or Canyon Lake, Romoland, and Sun City addresses with zip code of 92587),~~ **[Menifee addresses with zip codes of 92585-92587]**, 92599, or 92860, 92877-92883 shall be filed at the Hall of Justice, 4100 Main Street, Riverside.
 - 2. All documents concerning actions or proceedings that arise out of the zip codes of 92220, 92223, 92230, 92282, or 92320 shall be filed at the Banning Courthouse, 135 North Alessandro Road, Banning.

Additions are shown with bold and brackets (**[example]**). Deletions are shown by strikeout (~~example~~).

B. Murrieta-Southwest Justice Center (Mid County Region)

All documents concerning actions or proceedings that arise out of the zip codes of 92530-92531, 92536, 92539, 92543-92546, 92548-92549, 92561-92564, 92581-92583, ~~(Meniffee addresses with zip codes of 92584-92586 and all addresses with zip code of 92587 except those from Canyon Lake, Romoland, and Sun City),~~ **[Meniffee addresses with zip code of 92584]**, or 92589-92596 shall be filed at the Southwest Justice Center, 30755-D Auld Road, Murrieta.

C. Indio-Larson Justice Center and Blythe Courthouse (Desert Region)

1. All documents concerning actions or proceedings that arise out of the zip codes of 92201-92203, 92210-92211, 92234-92236, 92239-92241, 92247-92248, 92253-92255, 92258, 92260-92264, 92270, 92274-92276, or 92292 shall be filed at the Larson Justice Center, 46-200 Oasis Street, Indio.
2. All documents concerning actions or proceedings that arise out of the zip codes of 92225-92226, or 92280 shall be filed at the Blythe Courthouse, 265 North Broadway, Blythe.

III. Infractions

A. Moreno Valley Courthouse and Banning Courthouse (Western Region)

1. All documents concerning actions or proceedings that arise out of the zip codes of 91752, 92501-92509, 92513-92519, 92521-92522, 92551-92557, 92860, or 92877-92883 shall be filed at the Moreno Valley Courthouse, 13800 Heacock Street, Building D #201, Moreno Valley.
2. All documents concerning actions or proceedings that arise out of the zip codes of 92220, 92223, 92230, 92282, or 92320 shall be filed at the Banning Courthouse, 135 North Alessandro Road, Banning.

B. Hemet Courthouse and Temecula Courthouse (Mid County Region)

1. All documents concerning actions or proceedings that arise out of the zip codes of 92536, 92539, 92543-92546, 92549, 92561, or 92581-92583 shall be filed at the Hemet Courthouse, 880 North State Street, Hemet.

2. All documents concerning actions or proceedings that arise out of the zip codes of 92530-92532, 92548, 92562-92564, 92567, 92570-92572, 92584-92587, 92589-92593, 92595-92596, or 92599 shall be filed at the Temecula Courthouse, 41002 County Center Drive #100, Temecula.

C. Indo-Larson Justice Center and Blythe Courthouse (Desert Region)

1. All documents concerning actions or proceedings that arise out of the zip codes of 92201-92203, 92210-92211, 92234-92236, 92239-92241, 92247-92248, 92253-92255, 92258, 92260-92264, 92270, 92274-92276, or 92292 shall be filed at the Larson Justice Center, 46-200 Oasis Street, Indio.
2. All documents concerning actions or proceedings that arise out of the zip codes of 92225- 92226, or 92280 shall be filed at the Blythe Courthouse, 265 North Broadway, Blythe.

IV. Writs of Habeas Corpus

All petitions for writs of habeas corpus arising anywhere in the county shall be filed at the Hall of Justice, 4100 Main Street, Riverside.

**[RULE 4007
WALK-THROUGH ARREST WARRANTS**

A law enforcement officer seeking an arrest warrant on a walk-through basis shall complete and submit to the court the Declaration by Law Enforcement for Walk-Through Arrest Warrant and Order Form.]

**RULE 4015
BAIL REDUCTIONS OR INCREASES**

When bail has been set, all requests for an increase or reduction of said bail shall be made to the judge who set such bail in accordance with Sections 1269c, 1270, 1270.1, 1270.2, 1289, of the Penal Code except as follows:

1. Bail set ex parte by any judge of this Court shall be subject to modification by the judge before whom the defendant appears for arraignment.
2. Applications for reduction or increase of bail shall be made by defendant's attorney of record or the defendant appearing in propria persona, or the District Attorney.
- [3. A request to increase bail pursuant to section 1269c of the Penal Code shall be made on the Declaration in Support of Increased Bail form.]**

Additions are shown with bold and brackets (**[example]**). Deletions are shown by ~~strikeout (example)~~.

**[RULE 4017
FELONIOUS SOURCE OF BAIL**

A request for a hold on the release of an arrestee / defendant from custody pursuant to section 1275.1 of the Penal Code shall be made on the Declaration re: Felonious Source of Bail form.]

**RULE 4025
COUNTER/FACSIMILE ARRAIGNMENT**

- A. In misdemeanor cases, private counsel, prior to a defendant's scheduled appearance date, may enter a plea of "Not Guilty" and set a trial readiness calendar and jury trial date with the clerk of the court pursuant to Penal Code Section 977(a). Counter Facsimile Arraignments are permitted for misdemeanor cases with no outstanding warrants and will not be permitted on failures to appear when arrest warrants have been issued, defendants charged with violation of Penal Code section 192(c), 243.4, 273a, 273d, 273.5, 273.6, or 647.6, or violations of Vehicle Code section 23152 and 23153 (second or subsequent offenses is evidenced by Department of Motor Vehicle records) have been charged, or on violations of probation.
- B. At the time of such Counter/Facsimile Arraignment, counsel must file the following documents:
1. A signed "O.R." release form unless bail has previously been posted;
 2. A completed 977 Waiver
 3. If appearing by facsimile transmission, the attorney must complete and submit the ~~Facsimile Arraignment form~~ **[Fax Arraignment form]** to the Clerk's office at the location in which the case is scheduled to be heard.
 4. If appearing by facsimile transmission pursuant to local rule 1050, the Judicial Council Facsimile Transmission Cover Sheet (form MC-005) must accompany documents filed via facsimile. Facsimile numbers may be located on the court's website at <http://riverside.courts.ca.gov/faxlist.shtml>.
 5. Parties shall complete form RI-M01 to register for the court's direct fax filing program. The form is located on the court's website at <http://riverside.courts.ca.gov/faxlist.shtml>.

The above listed documents must be received prior to 4:00pm the day before the date of the scheduled appearance.

Additions are shown with bold and brackets (**[example]**). Deletions are shown by strikeout (example).

RULE 4040

REQUEST TO ADD A CASE ONTO CALENDAR

A. Outstanding Warrants

1. Arraignment Locations

All initial arraignment cases shall be heard at the court location where the defendant was cited/ordered to appear. Defendants with cases in multiple court locations may appear at any location with at least one open case. ~~This rule does not apply to infraction arraignments.~~

2. Violations of Probation

On cases where there is a warrant outstanding for a violation of probation, the defendant and/or attorney may check in at the Clerk's Office to be added onto that day's calendar. Check in times for all court locations: 7:30 a.m.

a. Desert Region

Blythe
Indio

b. Mid County Region

Murrieta

c. Western Region

Banning
Riverside

3. Non-Violations of Probation

On cases where there is a warrant outstanding for a reason other than a violation of probation, each court will calendar the hearing on the earliest available court day. The defendant and/or attorney shall complete a Request to Calendar form (Form #OTS01).

B. Probation or Diversion

On probation or diversion cases where the defendant, probation officer, or attorney is seeking to modify probation or reinstate a program prior to a warrant being issued, a Request to Add onto Calendar form (Form #OTS01) shall be completed and the hearing will be set within 10 court days.

C. Extenuating Circumstances

Additions are shown with bold and brackets (**[example]**). Deletions are shown by ~~strikeout (example)~~.

If a case has no warrant and there are extenuating circumstances, to add the case onto the morning calendar, the Clerk's Office must obtain approval from the Judicial Officer in the department where the case will be assigned. The Judicial Officer will have the discretion to approve or deny the request.

D. In-Custody Defendants

If the defendant's attorney or probation officer indicates that the defendant is in local custody on the Request to Add onto Calendar form, they shall also indicate the location where the defendant is being housed.

Three days notice is required for defendants who are in local custody and the hearing will be set within three to 10 court days.

Request to Add onto Calendar forms may be faxed.

**[RULE 4042
EVALUATION FOR VETERANS COURT**

A defendant who wishes to be evaluated for transfer of his or her case to Veterans Court must first complete and submit to the court the Veterans Court Program Referral form.]

**[RULE 4080
PETITION TO SEAL AND DESTROY ARREST RECORDS**

A petition to the court to seal and destroy arrest records pursuant to section 851.8 of the Penal Code shall be made on the Petition to Seal and Destroy Arrest Records form.]

**[RULE 4082
EXPUNGEMENT**

- (a) All petitions for dismissal pursuant to Penal Code sections 1203.4 or 1203.4a must be served on the District Attorney. Proof of service must be filed with the clerk's office at the time the petition is filed.**
- (b) If the case has been destroyed pursuant to statute (see Government Code sections 68152 and 68153) or is more than 10 years old, the defendant must, along with the petition, provide a copy of the probation order or his or her criminal history record. Information on how to obtain a copy of a criminal history record can be found on the self-help page of the court's web site.]**

Additions are shown with bold and brackets (**[example]**). Deletions are shown by ~~strikeout (example)~~.